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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,197	09/19/2001	Tatsuya Mitsugi	1163-0356P	8676

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
PITARO, RYAN F	

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/955,197	MITSUGI, TATSUYA	
	Examiner	Art Unit	
	Ryan F Pitaro	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-13 have been examined.

Response to Amendment

1. This communication is responsive to Amendment A, filed 1/31/2004.

2. Claims 1-13 are pending in this application. Claim 1 is an independent claim.

This action is made Final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5,7-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt, JR ("Britt", US 2002/0032785) in view of Fukasawa et al ("Fukasawa", US 6,738,822).

As per independent claim 1, Britt discloses a communication network system that can provide contents information for users by way of a communication network, said system comprising: a contents server disposed as a source of information, for storing contents information (Figure 3 item 130); a portal server, responsive to a request which a user makes through communication terminal equipment, for transmitting contents

information to the communication terminal equipment (Figure 3 item 110); and a conversion/ formatting server disposed between said contents server and said portal server ([0034] lines 1-10), for converting contents information which said conversion/formatting server has acquired from said contents server into contents information in a predetermined format ([0034] lines 1-10), formatting the contents information in the predetermined format into contents information suitable for display on the communication terminal equipment ([0035] lines 7-11) in response to a request from said portal server, and transmitting the formatted contents information to said portal server (Figure 3 item 920; *wherein the system described in Figure 3 employs a single server, however alternative embodiments may include numerous different servers i.e. conversion server*). However, since Britt failed to explicitly state a conversion server, Fukasawa teaches a conversion /formatting server (Figure 3 item 110), which converts and transmits the contents to the said portal server (Column 5 lines 1-17). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Britt with the current teaching of Fukasawa. Motivation to do so would have been to quicken response time by adding another server and allowing the servers to work as a multiprocessing system.

As per claim 2, which is dependent on claim 1, the modified Britt discloses a system wherein in response to a request for information browsing which a user makes through communication terminal equipment, said portal server provides an instruction for transmission of information to be browsed for said conversion/formatting server (Fukasawa, Column 5 lines 1-3), and said conversion/formatting server, in response to

the information transmitter instruction from said portal server, converts contents information stored in said contents server into contents information in the predetermined format which can be browsed (Britt, [0037] lines 1-6) and stores it therein , and formats the contents information in the predetermined format into contents information suitable for display on the communication terminal equipment (Britt, [0035] lines 7-11) and transmits the formatted contents information to said portal server (Fukasawa, Column 5 lines 1-17).

As per claim 3, which is dependent on claim 2, the modified Britt discloses a system wherein in response to a request for information retrieval which a user makes through communication terminal equipment, said portal server provides an instruction for information retrieval for said conversion/formatting server (Fukasawa, Column 5 lines 1-3), and said conversion/formatting server, in response to the information retrieval instruction from said portal server, retrieves desired contents information in the predetermined format which is stored therein (Fukasawa, Column 5 lines 13-15), and formats the desired contents information in the predetermined format into contents information suitable for display on the communication terminal equipment (Britt, [0035] lines 1-11) and transmits the formatted contents information to said portal server (Fukasawa, lines 16-17).

As per claim 4, which is dependent on claim 1, the modified Britt discloses a system wherein in response to a request for performance of a predetermined process which a user makes through communication terminal equipment, said portal server provides an instruction for the performance of the predetermined process for said

conversion/formatting server (Fukasawa, Column 5 lines 1-3), and said conversion/ formatting server, in response to the instruction for the performance of the predetermined process from said portal server, converts contents information which is stored in said contents server into contents information which corresponds to the instruction for the performance of the predetermined process (Fukasawa, Column 5 lines 6-17), and formats the resultant contents information into contents information suitable for display on the communication terminal equipment (Britt, [0035] lines 7-11) and transmits the formatted contents information to said portal server (Fukasawa, Column 5 lines 16-17).

As per claim 5, which is dependent on claim1, the modified Britt discloses a system wherein in response to a request for performance of a predetermined process which a user makes through communication terminal equipment, said portal server provides an instruction for the performance of the predetermined process for said conversion/formatting server (Fukasawa, Column 5 lines 1-3), and said conversion/ formatting server, in response to the instruction for the performance of the predetermined process from said portal server, converts contents information which is stored in said contents server into contents information which corresponds to the instruction for the performance of the predetermined process (Fukasawa, Column 5 lines 4-6), stores the resultant contents information therein (Fukasawa, Column 5 lines 6-8), and formats the resultant contents information into contents information suitable for display on the communication terminal equipment (Britt, [0035] lines 7-11)and directly transmits the formatted contents information to the communication terminal

equipment according to event information added to the instruction for the performance of the predetermined process (Fukasawa, Column 5 lines 15-17).

As per claim 7, which is dependent on claim 1, the modified Britt discloses a system wherein said conversion/formatting server performs a formatting process of formatting the contents information in the predetermined format into contents information which can be displayed on the communication terminal equipment (Britt, [0035] lines 7-11), and transmits the formatted contents information to said portal server (Fukasawa, Column 5 lines 16-17).

As per claim 8, which is dependent on claim 7, the modified Britt discloses a system wherein the formatting process performed by said conversion/ formatting server is a process of executing an application (Britt, Figure 3 item 920) that defines a display format in which the communication terminal equipment can display the contents information in the predetermined format (Britt, [0035] lines 7-11).

As per claim 9, which is dependent on claim 1, the modified Britt discloses a system wherein said communication network is the Internet (Britt, Figure 3 items 940, 941).

As per claim 10, which is dependent on claim 1, the modified Britt discloses a system wherein said communication network is a radio communication network (Britt, [0034] lines 1-6).

As per claim 11, which is dependent on claim 1, the modified Britt did not explicitly state a wired network. However, Official notice is taken that wired communication network is well known in the art. While the modified Britt teaches a

wireless network it is merely a design choice to choose between a wireless and wired connection. Each choice has its advantages/disadvantages, however the results of the communication system in this instance remain the same. Therefore it would have been obvious to an artisan at the time of the invention to combine the modified Britt with the current teaching. Motivation to so do would have been create a possible faster, more reliable network.

As per claim 13, which is dependent on claim 1, the modified Britt discloses a system wherein said portal server transmits and receives contents information from itself to the communication terminal equipment and vice versa by performing a Web processing (Britt, Figure 3 items 940, 941).

4. Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt, JR ("Britt", US 2002/0032785) in view of Fukasawa et al ("Fukasawa", US 6,738,822) in further view of applicant's admitted prior art ("aapa", US#2002/0113817).

As per claim 6, which is dependent on claim 1, the modified Britt discloses a system wherein said conversion/formatting server performs a formatting process so as to generate application data which defines a display format (Fukasawa, Column 5 lines 3-5) in which the communication terminal equipment can display contents information in the predetermined format transmitted thereto (Fukasawa, Column 5 lines 13-17). The modified Britt fails to distinctly point out transmitting both the application data and information contents to the server. However, aapa teaches a system wherein the

application data is transmitted to the portal server as well as the contents information in the predetermined format ([0009] lines 10-17). Therefore it would have been obvious to an artisan at the time of the invention to combine the modified system of Britt with the teaching of aapa. Motivation to do so would have been to provide the server with adequate information to check the format if needed.

As per claim 12, which is dependent on claim1, the modified Britt fails to distinctly point out communication through email. However, aapa teaches a system wherein the portal server transmits and receives contents information from itself to the communication terminal equipment and vice versa by using E-mail ([0004] lines 10-13). Therefore it would have been obvious to an artisan at the time of the invention to combine the modified system of Britt with the teaching of aapa. Motivation to do so would have been to provide an organized secure way of sending and receiving information by way of the Internet.

Response to Arguments

Applicant's arguments filed 1/31/2005 have been fully considered but they are not persuasive.

As per claim 1, Applicant argues that:

(a) Fukasawa does not teach or suggest implementing a conversion server disposed in a communication link between a portal server and a content server for converting data.

(b) There is no motivation to combine the references of Fukasawa and Britt.

The Examiner respectfully disagrees for the following reasons:

Per (a), Fukasawa is used in claim 1 as a secondary reference to teach a conversion server. The Examiner agrees that Fukasawa does not teach or suggest a portal server, as taught in Britt.

Per (b), Britt teaches a portal server with a conversion module, providing the need for some type of conversion. The Examiner further points out [0051] lines 6-10. One of ordinary skill in the art would realize the benefit of a separate server as pointed out above for converting data i.e. more computing power for faster conversions. One skilled in the art could obviously see the advantages of this; however, Britt did not distinctly point out a conversion server. Britt does however give motivation to do so.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Patent Examiner
Art Unit 2174

RFP

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100